

### **REMARKS/ARGUMENTS**

Claims 1-11 remain in this application.

Claim 12 is newly added in this application.

Claims 1-11 are hereby amended.

The examiner has acknowledged that claims 6 and 8 are directed to allowable subject matter, as rewritten by this amendment in independent form including the limitations of the base claim and any intervening claims.

1. Claims 1-5 and 9-11 were rejected under 35 USC 102(b) as anticipated by Kaufman. Applicant has amended independent claim 1 to provide that the first internal compartment “holds” a vial. Independent claim 3 is similarly amended to provide that the internal separator “holds” a vial. Kaufman does not teach or suggest any such holding mechanism or aspect.

Applicant has amended independent claim 9 to provide that the first internal compartment “retains” a specimen. Kaufman does not teach or suggest this aspect.

Applicant has amended independent claim 11 to include the element “retainer” within the container. Kaufman does not teach or suggest any retainer.

2. Claim 7 was rejected under 35 USC 102(b) as anticipated by Schlage. Applicant has amended the claim to add a step of folding to form a retainer. Schlage does not teach or suggest this step.

3. Claims 6 and 8 were objected to. The examiner stated that these claims would be allowable, if rewritten in independent form. Applicant has amended these claims to rewrite them in independent form.

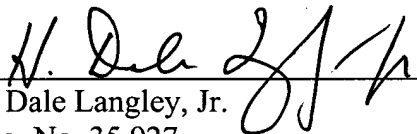
Applicant thanks the Examiner for the allowance of claims 6 and 8 as now rewritten in independent form.

Amendments to dependent claims not addressed in the remarks were made solely for purposes of conformity and correction, and these amendments were not made with intent of, nor were they necessitated for, limitation or satisfaction of any other art-based requirements of patentability.

If the Examiner has any questions or comments, the undersigned attorney for Applicant respectfully requests a call to discuss any issues. The Office is authorized to charge any excess fees or to credit any overage to the undersigned's Deposit Account No. 50-1350.

Respectfully submitted,

Date: January 19, 2005

  
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